

Final Notes May 5, 1997

IMPLEMENTATION TEAM MEETING NOTES

April 3, 1997, 9:00 a.m.-4 p.m.

NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greeting and Introductions.

The April 3 meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Donna Darm of NMFS. The agenda for the April 3 meeting and a list of attendees are attached as Enclosures A and B. The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from Kathy Ceballos at 503/230-5420 or via E-mail at kathy.ceballos@noaa.gov.

Jim Yost of the Idaho Governor's office distributed Enclosure C, the State of Idaho's recommended "Measures to Enhance Salmon and Steelhead Migration Success During 1997." There isn't a specific agenda item to address this strategy today, Yost said; in any case Idaho does not plan to seek acceptance of this document. As issues ripen, we intend to use the Regional Forum to present, discuss and resolve them. This document is primarily for your information today, he said.

II. Review and Discussion of the Briefing/Issue Papers Being Developed for the April 4 Executive Committee Meeting.

A. Capital Construction in the Lower Snake River. NMFS's Brian Brown distributed Enclosures D and E, an overview, dated April 1, and a more detailed information package, dated March 20, respectively, of the three issues raised from the System Configuration Team to the IT. The three issues are:

- 1) Completion, maintenance and improvements to intake screen bypass systems at the Lower Snake and McNary Dams
- 2) John Day Dam extended-length screen implementation
- 3) Bonneville Powerhouse 1 and Powerhouse 2 collection channel improvements, sampling facilities and outfall relocations, and evaluation of extended-length screens at PH1.

Enclosure D explains the IT's assignment to the SCT, the background for this agenda item, and the current dispute resolution status of each issue:

In January, the SCT reviewed the Corps' Columbia River Fish Mitigation Project

summary for FY'98. During that review, Federal, State and Tribal representatives prioritized each of the 40+ activities in the FY'98 plan. Significant differences in priorities were identified and grouped into eight issues. The SCT chair summarized those eight issues in an IT briefing on February 13, and agreed to bring three of the eight issues to the April IT meeting, and the remaining five to the May IT meeting. The IT chair requested that issue summaries include benefits to fish, costs, implementation schedules, and the reasons SCT participants endorse or oppose each measure. The three issues framed for the April 3 IT meeting are detailed in the briefing package mailed to IT, dated March 20. The recommendations in this briefing package are supported by the State, NPPC and Federal SCT representatives. It is our understanding that the Columbia River Inter-Tribal Fish Commission will be providing contrasting recommendations on these three issues to the IT by March 31.

The first issue is in regard to \$4.1 million in the Corps' FY'98 budget that will improve and complete the turbine intake screen bypass systems at the four Lower Snake River and McNary Dams. Through FY'97, \$115.5 million has been invested in these systems, which are 95% or more near completion.

The second issue is in regard to funding in FY'98 the upgrading of the guidance screens in the John Day juvenile bypass system. Recent studies at John Day have shown that the longer bar screens guide a much higher percentage of juvenile salmon and steelhead migrants away from turbine passage than the current shorter traveling screens. The briefing summary places extended screen installation in the context of the longer-term studies of surface collection and drawdown at John Day.

The third issue is in regard to funding in FY'98 the Bonneville Powerhouse 2 collection channel improvements, sampling facility and outfall relocation, and the evaluation of extended screens to improve juvenile guidance at Powerhouse 1. Some time ago the SCT realized that these FY'98 priority issues at Bonneville could not be adequately addressed without first developing a well-founded multi-year strategy that would provide near-term survival benefits and the evaluation of future passage alternatives as well. The Bonneville Dam Fish Mitigation Plan (included in Enclosure E) is the result of considerable SCT effort to develop a multi-year strategy. The activities at Bonneville which comprise the FY'98 funding issue are included in the context of this broad multi-year plan.

The March 20 briefing packet (Enclosure E) contains a more detailed description of each of the three issues, as well as supporting information (please see Enclosure E for details).

Three questions, said Doug Arndt of the Corps: where is the document containing CRITFC's contrasting recommendations, which tribes' views does it represent, and how are we going to characterize this as an issue for EC tomorrow?

These are not issues for EC tomorrow, said Darm -- this is an information item for the EC, and the beginning of a discussion for us. A CRITFC memorandum has already been sent to the Executive Committee, added Bob Heinith; this memo, attached as Enclosure F, says in part:

For the FY'98 federal capital construction budget and the remainder of capital

construction budgets through the end of the Memorandum of Agreement (MOA) there are broad and significant differences between the tribal and federal priorities and approaches. The CRITFC tribes and others have serious disagreements with the priorities the federal government has selected for fish protection and mitigation both in FY'98 and over the long term. These differences have been described in detail in the CBFWA draft 1997 Multi-Year Implementation Plan.

The tribal objective is to meet juvenile passage performance standards of 80% fish passage efficiency and 95% survival per project by 2001 and to reduce adult salmon delays and interdam mortality by 50% by 2001. The federal plan does not commit to these performance standards.

The tribal approach calls for about \$350 million over the term of the MOA to Snake River and John Day drawdown; the Federal approach calls for about \$362 million to be allocated to screened bypass systems and transportation.

The tribal approach calls for emphasis on adult passage, spill efficiency and meeting dissolved gas and temperature water quality standards. The Federal approach fails to appropriate adequate funds toward these critical mainstem passage measures.

(NOTE: Enclosure F also contains some information on more specific differences between the tribal and federal plans -- see Enclosure F for details).

In Chapter 3 of the draft Multi-Year Implementation Plan, CRITFC laid out its scientific rationale and the tasks for these three projects, Heinith said. We were asked by SCT to break that out into a separate document; we haven't had a chance to do that yet, but the information is available in Chapter 3 of the MYIP.

I suggest that we split this discussion into two parts, said Brown -- first, let's talk about the three projects themselves; we can then move on to the subject of what to present to EC tomorrow. Good plan, said Darm.

This started out as an FY'98 funding issue, and there are FY'98 decisions pending, said Brown -- how does some IT action on these three issues flow into that process? Is it your intent that these issues be resolved by the Implementation Team? We were hoping to provide you a complete package on these issues, said SCT co-chair Jim Ruff of the Power Planning Council staff. Instead, what you have before you is the SCT majority opinion. As we have heard, there is also a minority opinion that takes issue with this majority opinion -- you only have half the package, in other words.

As far as where we are in the process, Congress is currently considering FY'98 funding for the Columbia River Fish Mitigation Program; it's working its way through the Appropriations committees, and from what I've heard, it's unlikely that we will receive the full \$127 million the Corps has requested, Ruff continued. If that is indeed the case, the SCT will have to prioritize the list of projects to fund the highest-priority items.

The CRITFC tribes have submitted testimony to the House of Representatives on the FY'98 budget, said Heinith. Essentially, what we're saying is that implementation of the tribal plan is what Congress ought to be doing -- obviously, there are major differences between the Federal

and tribal approaches, which we have spelled out in our testimony. We will be submitting similar testimony to the Senate, he added.

Could you tell us what you said to Congress, specifically about these three issues? asked Ruff. Because, although we do have your memo to EC, we're still waiting for CRITFC to provide us with its minority opinion. I would disagree with that, Jim -- again, Chapter 3 of the MYIP clearly lays out where we think we ought to be going, including what should be done with these three projects, Heinith said.

Are you telling us that CRITFC doesn't intend to write its minority opinion, and that you want the IT and EC to read the MYIP instead? asked Arndt. We will be submitting something for technical discussion, although I think we need to have that discussion at SCT, said Heinith. I simply haven't had time to break out what we wrote about these three projects in the MYIP, but I will be doing that. Then what you're saying is that today's presentation is simply a status report, and there is really nothing for IT to discuss, said Brown.

I'm a little concerned that CRITFC has already submitted testimony to the Congressional delegation, said Arndt. Do I take it that you don't intend to use this Regional Forum process? The Forum is one process, said Heinith, but certainly our tribes don't consider it to be a formal consultation, under the MOA, with the Federal government.

Can the rest of the sovereigns get a written copy of CRITFC's testimony to Congress? asked one meeting participant. I'll need to check with my higher-ups, but I don't think that will be a problem, Heinith replied.

There is one timely issue on this list, said Hevlin -- the evaluation of extended-length screens at Bonneville's Powerhouse 1. The Corps intends to let a contract for construction of those five prototype screens on May 1, to have them ready for the 1998 prototype test. Is that an issue CRITFC would like to see elevated before it is decided on May 1? asked Brown. Absolutely, Heinith replied. It sounds like we need to have an IT conference call some time later in April to discuss the Bonneville issue, said Brown -- can I ask CRITFC to frame this issue for the call? The SCT has already framed it, at least from the perspective of the majority of the SCT membership, Ruff said -- it's in the packet we distributed earlier. What you do not have is the tribal perspective.

Part of the problem is, we've been talking about these issues for months now, and now we're really up against the wall as far as our decisionmaking and dispute resolution time lines, said Witt Anderson of the Corps. Unfortunately, we have yet to receive the tribes' minority opinion, and we're about out of time. Somehow, we need to find a better process for resolving these issues in a timely fashion. All of these issues are addressed, and our positions clearly laid out, in Chapter 3 of the MYIP, responded Heinith. We have asked for the SCT's comments on that document, and have yet to receive them.

After a few minutes of further discussion, Brown suggested a possible way to resolve this issue. In light of the Forum procedures that we've all been working on, failing consensus, it is up to the relevant action agency -- in the case, the Corps of Engineers -- to make a call, he said. It seems to me that the Corps going ahead with its program, after providing the appropriate notice, would be appropriate.

I don't want it to appear as though the SCT has not tried to reach consensus or use the suggestions from CRITFC, said Hevlin. There are several significant features to the Bonneville multi-year plan that were CRITFC's recommendations to begin with, such as the guidance curtain to improve spillway efficiency at that project. Overall, the Bonneville multi-year plan really represents the SCT's attempt to integrate the two fundamentally different philosophical approaches to system configuration at Bonneville. However, this compromise position was not acceptable to CRITFC, Hevlin said.

Let the minutes reflect that the Corps is going to go ahead with advertising the contract for construction of the Bonneville PH1 extended-length screen prototypes on May 1, and will provide appropriate documentation for its decision, said Brown. It was agreed that, once CRITFC provides its minority opinion on these three issues, this document will first be discussed at the SCT level.

You say the Corps is going to move forward with advertising this contract, because we haven't been able to reach consensus, said Tony Nigro of ODFW. Shouldn't CRITFC have the opportunity to put this issue through the entire multi-level dispute resolution process? Yes, in a timely way, Darm replied. That's the concern here -- this issue has been bubbling along at the SCT level for some time without resolution, and now there isn't very much time before this contract is scheduled to be let. There's an EC meeting tomorrow, said Nigro. True; however, the SCT hasn't had a chance to discuss the materials developed by CRITFC, let alone the IT, Darm replied. I'm certainly not willing to elevate this issue to the EC, if we haven't had an opportunity to discuss it at IT first. Bear in mind, she added, that we're referring only to the contract for construction of prototype extended-length screens at Bonneville PH1 -- the other elements of the Bonneville issue can still be elevated to EC.

In response to a question, Hevlin reiterated that five additional issue groups will be developed by the SCT for the May IT meeting; the next timely issue, which will need to be finalized, if possible, at that meeting, is the continued investigation of surface collection at Lower Granite Dam.

So to be clear, said Heinith, there is a contract that represents a piece of Issue 3, which the Corps says needs to be let by May 1. Therefore, they are informing us that they have made the decision to go ahead with that contract? Correct, was the reply. I thought we were going to address these issues at SCT, then have a special IT conference call to resolve them, said Heinith. I did suggest that earlier, said Brown, but I didn't hear much support for the idea.

We'll need to raise this to the EC tomorrow, said Heinith -- I certainly don't agree that this contract should go forward. The issue to be raised to EC, then, would be a process issue, not the substantive issue, said Darm. I think what you're hearing here, Bob, is some frustration that CRITFC is not a part of the Regional Forum process. Why are we being cut out of the process, when there is still time to bring forward arguments that ought to be considered in the process? asked Heinith. I don't think you're being cut out of the process, said Darm -- the concern is that, in order for work to get done in a timely way, issues have to be decided, contracts have to be let. The SCT has produced its majority opinion, explaining why the state, NPPC and federal members believe these projects should go forward. However, CRITFC has not produced the minority opinion which would allow the SCT to fully analyze both sides of these issues, and to prepare a presentation to IT.

I disagree, said Heinith -- we have prepared the requested information -- it's in the MYIP. Perhaps we haven't packaged it in the exact way people want to see it, but the information is there. I think what you're hearing, Bob, is a general sense, from this group of program managers, that it is not sufficient for CRITFC to come to the meeting and, when more detailed information is requested, refer the IT to the appropriate passages of the MYIP or Spirit of the Salmon, said Darm. In order for this group to try to make decisions, we have to be briefed. We need a concise description of each side of the issue, and the supporting information for each point of view.

The discussion returned to the possibility of convening an IT conference call to discuss the Bonneville issue further, rather than asking the SCT to revisit the issue once again. After some minutes of debate, it was agreed that such a call would be useful; some members of the IT expressed discomfort with the idea of the Corps going forward with the May 1 contract before it has been fully vetted at the IT level. The conference call was set for 9 a.m. Friday, April 18; it was further agreed that CRITFC will distribute its dissenting opinion by April 14; this dissenting opinion will include CRITFC's suggested alternative to the entire Bonneville Dam Fish Mitigation Plan put together by SCT. And in the course of this conference call, we will try to reach consensus not only on the May 1 contract, but on the entire direction of the Bonneville Dam Fish Mitigation Plan, said Brown.

What do we do about the other two issues -- completing the turbine intake screen systems at the four Lower Snake and McNary Dams, and the upgrading of the guidance screens for the John Day JBS? asked Ruff. I think we should put them on the agenda for the next IT meeting, and we'll get the same kinds of background materials and briefings on them that we're requesting on the Bonneville issue, Darm replied.

At the last SCT meeting, CRITFC indicated that it did not necessarily oppose spending the \$4.1 million to complete the screened bypass systems all the way down to McNary, said Anderson. What is the tribes' view at this point -- is that still an issue? I would say it's still an issue, but it's a much less-significant issue than the John Day extended-length screen issue, Lothrop replied. Does that mean that we have consensus on this issue -- lack of objection at the SCT level? asked Brown. No, I wouldn't go that far, Lothrop replied. Then we'll discuss it further at the May IT meeting, Brown said.

In response to a question from Nigro, it was noted that this draft of the Bonneville Dam Fish Mitigation Plan is not a consensus document -- it is currently under review by the SCT, but does not have the approval of the full SCT membership. That gives us some context for the April 18 call.

It was noted further that a discussion of the remaining five "issue groups" will also be on the agenda for the May IT meeting; it was agreed that the framing package for these issues, including both majority and minority views -- would be distributed to the IT by April 25.

Let's move on to the second part of this issue, which is what, specifically, will be presented to the Executive Committee tomorrow. My understanding is that, under the "Capital Construction in the Lower Snake River" agenda item, Bob Heinith will be making an informational presentation on the CRITFC "forest" issue, centered on the March 24 memo (Enclosure F)? That's correct,

Heinith replied.

The IT spent a few minutes discussing the contents of CRITFC's March 24 memo. Hevlin pointed out that the memo's third bullet is not entirely accurate -- the Corps' FY'98 budget does indeed include funds for adult passage, spill efficiency, dissolved gas and temperature. Fair enough, said Heinith -- my point is more one of emphasis, and the adequacy of that funding. I will, however, make that change.

B. Libby and Hungry Horse Operation. This item is scheduled to consist of an EC presentation from Chip McConnaha and Rick Williams, covering the ISAB's report on the effects of Libby and Hungry Horse operations on resident fish at and below those projects, said Darm. At the March 24 IT meeting, it was intended that we would discuss next steps -- what we should do now that we have the ISAB's report in hand. After a brief IT discussion, it was decided to discuss those next steps at the end of today's meeting, time permitting. (Not discussed)

C. Idaho Transport Strategy. Brian Brown referred the IT to Enclosure C, Idaho's recommended Measures to Enhance Salmon and Steelhead Migration Success During 1997. He distributed Enclosure G, an April 2 memo from John Williams discussing issues related to proposals to return fish to the river rather than transporting, as well as a report from Tom Berggren on the findings of the transport percentage estimation methodology workgroup (Enc. H) and a memo from Jim Ceballos outlining the operational implications of the eight transport operational proposals still on the table (Enc. I -- see Enclosures G, H and I for detailed background, methodology and findings).

Brown explained that, at the last IT meeting, Idaho presented their views on the available steelhead information. Based on their analysis, Idaho submitted a System Operational Request to transport only on alternating days at the three Snake River collector projects (Enclosure J). However, NMFS and some of the Salmon Managers declined to support that specific SOR. Subsequent re-analysis of the likely percentage of fish that would be transported under the BiOp operation showed that the percentage of chinook transported would be about 70%, and that caused NMFS to reconsider those proposed alternative transport scenarios -- we would like to see chinook transport percentages more consistent with last year's operation, 60% or less, said Brown.

A desire to look more closely at the expected transport percentages under the various operational scenarios, to look at the alternatives themselves to see whether we might have an opportunity to learn things about transportation and survival in 1997, and to examine the operational implications of the proposed alternatives, led to the formation of three workgroups, Brown said. (Enclosures G, H and I) are the results of those workgroup's analyses.

The IT spent a few minutes going through these workgroup reports, beginning with Enclosure H, the transport percentage analysis. Tom Berggren went through this document at some length (please see Enclosure H for the details of his presentation), ultimately providing the following conclusions:

- The probabilistic model method was the only way to project and track the proportion of fish in the transport class during the migration season
- The discussions of the group and this description of accounting methodology did not

address the larger policy question of how many or what proportion of fish should be transported

-- Fish guidance efficiency estimates and spill effectiveness estimates are key assumptions in these calculations. NMFS staff is reviewing fish guidance efficiency data and may provide updated estimates.

Is there anything in this report that would change the methodology used to generate the transport percentage estimates we saw at the last IT meeting? asked Brown. No, it's the same methodology, Berggren replied.

Brown explained that, as stated in the last of the workgroup's conclusions, the Science Center, as part of the PATH process, is reviewing the currently-accepted methods of calculating fish guidance efficiency. Although their findings have not been reviewed, they suggest that the methodology currently in general use may underestimate FGE (at projects with ESBS's). However, Brown said, I would suggest that we go with the estimates of FGE that we currently have in hand, recognizing that they may be underestimating true percentage of fish transported. Idaho would agree that we should accept the numbers as we have them, recognizing that there may be some uncertainties associated with those numbers, and use those as the basis for our decision, said Bowles.

The next work group, consisting of representatives from NMFS, the Corps, the states and the Fish Passage Center, looked at the biological implications of the logistics of implementing the eight transportation alternatives under consideration, said Brown. Their report (Enclosure H) identified various logistical constraints associated with each alternative at each project.

Jim Ceballos spent a few minutes going through the subgroup's findings (see Enclosure H for details of his report). Were there any of the eight scenarios your workgroup would rule out based on concerns about implementation? asked Brown. I think it's fair to say that it is the general feeling of the group that we should transport all of the fish we can collect at Lower Granite,

Ceballos replied -- Lower Granite is the major passage index site and changes in operation could confound daily passage indices.

I'd like to take issue with that, said Bowles -- as long as the fish are collected through the bypass system, which they will have to be in order to undergo PIT-tag interrogation, no one is proposing that we compromise those research studies. As long as that is done, the statement about confounding daily passage indices is erroneous. In the context of what we're proposing, there is nothing special about Granite with respect to passage indices.

Again, are there any alternatives that the workgroup felt should be given a lower priority due to operational concerns? We didn't really prioritize the alternatives, Ceballos replied -- we just attempted to list the constraints and concerns we saw with each of the scenarios. So to summarize some of the key points from the workgroup report, there are concerns about both the outfall and bypass facilities at Lower Monumental, and the ability to transport at that project, said Brown. The group did not identify any concerns about the outfall at Little Goose.

Moving on, John Williams drew the IT's attention to Enclosure G, the notes from the subcommittee to address research issues related to proposals to return fish to the river rather than

transport. The members of this subcommittee were asked two questions:

- 1) Would any research studies scheduled for 1997 in the Snake River be affected by changing the number of fish transported or bypassed?
- 2) Are there any studies not presently planned that could be conducted to help evaluate river conditions or the bypass/transport scenarios proposed for 1997?

In general, the report provided the following conclusions:

- 1) If PIT-tagged fish pass detectors at each dam, it would not affect any planned studies. This scenario requires that fish go into the bypass facilities, separators and through the PIT-tag detectors. Sufficient fish for planned marking for studies would be available at Lower Granite Dam
- 2) It may be possible to implement a study in 1997 to evaluate the differences in return rates between steelhead transported at Lower Granite vs. fish released to the tailrace at Lower Granite and allowed to migrate in-river.

(please see Enclosure G for more detailed conclusions and findings). In response to a question, Williams said the proposed transport vs. in-river survival study will involve PIT-tagging approximately 120,000 juvenile steelhead to assure enough adult returns to statistically differentiate the return rates for the two groups; the study is expected to cost about \$550,000.

While this is a separate issue from the main one on the table -- what should our transport percentage be in 1997 -- NMFS does not feel that the steelhead case has been made, said Brown. Our consideration of alternatives, at this point, is based on the policy commitment that was made last year to consider alternatives if the percentage of chinook transported was going to be above 60%. Based on the information we now have, NMFS's position is that steelhead are better off transported, but there appears to be a lot of concern about the adequacy of the data on which NMFS bases that opinion -- clearly, we would like to have some additional information. Personally, I nearly fell out of my chair when I was told a few days ago that it would be possible for NMFS to conduct a full-blown steelhead evaluation in 1997, Brown said. However, if we're going to make the decision to go forward with this study in 1997, we have to make it today.

The IT spent a few minutes discussing the general scope of this study -- its source of funding (answer: the NMFS research reserve fund), whether it would be a multi-year study (answer: yes), whether it would provide useable information for the 1999 drawdown vs. transportation decision (answer: little or none). Ultimately, no IT objections were raised to the idea of NMFS initiating the process to conduct a 1997 steelhead PIT-tag survival study, to be funded through the NMFS research reserve fund. It was understood that, in order for the study to go forward in 1997, the decision to proceed must be made by April 11. Brown said NMFS would circulate a draft study design and proposal to the Salmon Managers and IT membership by tomorrow, April 4. It was pointed out that the study design would be identical to the design of the chinook study that has been done the past two years; this study has already undergone the necessary peer review process for implementation.

Returning to the main topic on the table, reaching an IT consensus on a recommended transport

operational alternative, Bowles summarized the status of this discussion by saying that NMFS's desire is to implement an alternative that results in less than 60% transportation for 1997 chinook migrants, while Idaho's is to achieve that goal in a way that meets our objectives. Idaho's first preference is still Scenario 7 (transport at Lower Granite, Little Goose and Lower Monumental on alternating days), which was the basis for the SOR. At the workgroup level, we have also discussed a scenario which would alternate bypass and transport operations on an hourly basis at these projects to accomplish the same spread-the-risk goal, he said. This alternative is expected to result in about 42% of the chinook above Lower Granite being transported, along with 54% of the steelhead.

Our second preference, in response to NMFS's concerns, would probably be either Scenario 10 (bypass all non-PIT-tagged fish at Lower Granite on alternating days [PITs according to study] and bypass B-side at Little Goose and Lower Monumental on alternating days) or Scenario 6 (transport at Lower Granite daily and at Little Goose and Lower Monumental on alternating days). Scenario 10 would result in transport percentages of 44% for chinook and 67% for steelhead above Lower Granite; Scenario 6 would result in 52 % of the chinook and 70% of the steelhead above Lower Granite being transported.

Tony Nigro of ODFW and Tom Cooney of WDFW said their agencies' preferred alternative would be Scenario 6. Marv Yoshinaka said the U.S. Fish & Wildlife Service would not object to Scenario 6. Rob Lothrop said CRITFC would agree to Scenario 7, but would object to Scenario 6. Brown said NMFS would object to Scenario 7, would not object to 6, and would prefer the Biological Opinion operation.

It appears that we do not have an IT consensus on a preferred transportation option at this time, said Darm -- the Tribes are unwilling to support Scenarios 6 or 10, while Washington, Oregon, Idaho and NMFS do not object to the implementation of Scenario 6 and, in the case of Idaho, Scenario 10. The Corps and BPA have not expressed a position, but I assume that they would object to Scenario 6? asked Darm. Without further analysis, we would object to Scenario 6, said Dan Daley of BPA. The Corps would need to look more closely at the logistics involved in implementing Scenario 6 before expressing a preference, said Doug Arndt. So a conditional lack of objection? said Darm. That's correct, Arndt replied.

Justin Hayes of Idaho Rivers United said his organization advocates no transportation in 1997, and objected to the characterization of this issue as the willingness of the entities involved to accept Scenario 6 -- it seems to me that many of us prefer Scenario 7, he said. I would like to push the bar up to Scenario 7, rather than allowing NMFS to drag it down to Scenario 6.

So how do we want to characterize this issue to the Executive Committee? asked Darm. Perhaps, from a procedural standpoint, we should start with the SOR -- Scenario 7 -- and ask who objects to it, said Bowles. We can then look at the alternatives and asks who objects to those.

The following IT participants objected to the SOR (Scenario 7):

NMFS
BPA
COE

What is the basis for NMFS's objection to Scenario 7? asked Hayes. That it is overkill in terms of our objective, which is to reduce the percentage of chinook transported to below 60%, Brown replied -- it's too great a reduction from the baseline operation, in other words. There are several other scenarios that accomplish that objective without reducing the percentage of chinook transported quite that far.

Jim Yost went briefly through the information Idaho plans to present to the Executive Committee at tomorrow's meeting. After Idaho presents its side of the issue, the agenda calls for a presentation from Brown on the outcome of today's IT discussion, said Darm. What, exactly, are we going to tell them?

It seems to me that we have narrowed the field down to two alternatives -- Scenario 6 and Scenario 7, said Brown -- I don't think we're going to reach an IT consensus on which is the preferred alternative today. I will describe the operational details of each scenario, as well as what percentage of chinook and steelhead transported is likely to result from each, Brown said. I'll talk about who supports and who objects to each alternative as well; the federal parties object to the SOR alternative, while CRITFC and BPA object to Scenario 6. After some minutes of further discussion, it was agreed that, if Scenario 6 is the one chosen by the EC, the IT would reserve the right to tweak that alternative, if necessary, to change how the transport percentage is achieved operationally -- the right to fine-tune operational particulars, in other words, while retaining the percent-transported goal for chinook contained in Scenario 6.

D. Water Management and Fish Passage Plans. This is an information item for the Executive Committee, said Darm. Several of the items on the EC agenda are Water Management Plan issues, added Brown. At the March 6 IT meeting, concerns were raised about the inability to track issues; NMFS was asked to develop a summary of the status of individual issues. The result of that request is Enclosure K, a memo entitled "1997 Water Management Plan Issues," dated March 28, 1997. This memo has been sent out to the IT; it is an update of my March 17 memo, which was discussed at the March 24 IT meeting, Brown explained. All this does is tell you where those issues were as of March 28.

At Brown's request, the IT spent a few minutes reviewing the contents of Enclosure K. The IT discussed the following specific issues related to the 1997 Water Management Plan:

Spill at Collector Projects at Temperatures in Excess of 68 Degrees. Mary Lou Soscia of EPA asked that, at the next EC meeting (after tomorrow's) a few minutes of the agenda be set aside for a discussion of water temperature. EPA is prepared to work with the state and federal agencies and the tribes to develop a long-term strategy to address temperature exceedances; in the interim, EPA has provided comments on the 1997 WMP, outlining some interim activities that should be undertaken in 1997, Soscia said. Chuck Clark, EPA's Region 10 administrator, has expressed a desire to participate in that upcoming EC meeting to discuss the problem of water temperatures in the Lower Columbia and Snake Rivers. We would be happy to have him, Darm replied.

It was further agreed that Soscia and EPA will take the lead in facilitating the discussions of the Corps' Fish Passage O & M Coordination Team on the temperature issue at that group's April 15 meeting; she will then provide a report on the results of those discussions at the May meeting of the Implementation Team.

1997 Fish Passage Plan. CRITFC is still waiting for a response from the Corps to our comments on the original Fish Passage Plan, said Heinith. The Corps responded to all of the comments it received, and has now finalized and distributed the 1997 FPP, said Doug Arndt. If you've responded to our concerns, as of this morning, we had not received the Corps' response, Heinith replied. Have any of the other Salmon Managers received a response to their comments? The Fish and Wildlife Service received a response, Yoshinaka replied. We'll check with Jim Athearn to see how our concerns were addressed, said Heinith.

MOP+1 at the Lower Snake Projects. This issue came up at yesterday's TMT meeting, said Arndt -- essentially, because of high flow-related siltation, the Corps will have to operate the Lower Snake pools at MOP+1 in order to maintain minimum navigation channel depth in 1997. Various TMT participants expressed concerns about this operation, because the BiOp calls for operating those pools at MOP. My only point in raising that here is that, if that operation is included in the Water Management Plan, it may eventually need to be addressed by the EC, Arndt said.

Our ROD says that we will operate those projects at MOP unless we need to operate differently for a special operation, he continued. Maintaining the 14-foot navigation channel depth is one of those special operations -- the Corps intends to do that, which means MOP+1. The Salmon Managers are recommending that those pools be operated at MOP, and have requested written documentation of the basis for that decision, as well as a list of alternative operations the Corps has considered to mitigate the adverse effects of the MOP+1 operation, said Yoshinaka. And we'll give you that documentation, said Arndt, but we're not going to put the barges at risk.

Power Peaking. We asked the Fish Passage Center to take a look at the Corps' record of meeting the 80% weekday/weekend flow objective in 1996, Heinith said. There were three occasions when that wasn't met -- once at Lower Granite and twice at McNary. The question is, if there are occasions when we don't meet that objective in 1997, what happens? We have a problem, and I'd like to know if we have a commitment from the federal government to meet the 80% weekday/weekend flow objective as called for in the BiOp in 1997. I think that's worth discussing at a future IT meeting, and is also worth discussing at the TMT level, said Brown. As far as tomorrow's presentation of this issue to the EC goes, I had planned to tell them that the IT will be developing a biologically-based proposal for limiting power peaking.
Lower Granite Forebay Operation at 710'; John Day to Minimum Operating Pool.

Previously, NMFS agreed to provide documentation of our position on the viability of these two operations for implementation in 1997, said Brown. He distributed Enclosure L, a letter to the Executive Committee dated April 3, 1997, explaining NMFS's position on these two issues (see Enclosure L for details).

Is it your intention that these two issues will be resolved at tomorrow's EC meeting? asked BPA's Phil Thor. No, Brown replied -- to my understanding, to date, no IT member has requested that these issues be elevated to the EC. Consequently, these are still IT issues.

To bring this item to closure, Brown said he will update his March 28 memo to reflect the outcome of today's discussion of the items on the list prior to submitting it to the EC tomorrow. Additionally, said Darm, we have an April 15 deadline to complete the 1997 Water Management Plan. We have a list of issues that still need to be resolved; the Executive Committee is going to

want to know how we intend to finalize this year's WMP on time. What do we tell them?

Some of the issues on the list will be resolved at tomorrow's EC meeting, said Brown -- emergency procedures and spring transport proportion, to name two. Others, such as the delivery of the Upper Snake River water, are the subject of ongoing workgroup discussion. In the meantime, we have before us a Water Management Plan that contains embedded and highlighted

areas of dispute, the largest of which, to my mind, is the available volumes question. We need to decide how to address all of those remaining areas of dispute by April 15.

After some minutes of discussion, it was agreed that the federal parties will meet on Tuesday, April 8, to resolve through all remaining Water Management Plan issues (except those still under workgroup discussion). As appropriate, the basis for each decision will be documented. The final Water Management Plan will be issued by April 15, with placeholders as necessary for the outcome of the workgroup deliberations.

E. TMT Guidelines. The IT spent considerable time discussing this document at its March 24 meeting; ultimately, we identified eight issues that required further discussion, said Brown. I believe that I was able to address each of those eight areas of concern, and have incorporated the necessary changes in the new draft of the Guidelines, dated April 1, 1997 (Enclosure M). All of these specific wording changes have been highlighted in the April 1 draft, Brown said (see enclosure for details).

One thing we did want to discuss today was the question of whether these guidelines should be finalized in this forum, or whether the ADR group should do that, said Brown. I think that if this group can agree on these guidelines, then they should be adopted as the federal interim guidelines, anticipating that the ADR group may make further revisions, suggested Darm.

The IT spent a few minutes going through the April 1 draft of the TMT Guidelines, suggesting a few minor changes, which Brown agreed to incorporate. It was further agreed that this draft of the Guidelines, once these few changes have been made, will be considered officially adopted by the IT and will be distributed to the region.

F. Emergency Protocols. This is a decision item on tomorrow's EC agenda, said Brown. One thing to mention right off the bat, said Thor -- Ron Boyce and I have been working through this document over the past few days; this is a new draft, incorporating many of Ron's comments, and I doubt many of the people in this room have had a chance to review this yet. Thor distributed Enclosure N, the draft FCRPS Protocols for Emergency Operations in Response to Generation or Transmission Emergencies, dated April 1, 1997. All recent changes to this document, as well as any outstanding issues, are highlighted.

There aren't that many remaining issues in this document, said Brown -- shall we attempt to work our way through them and resolve as many as possible today, so that we have a finished document to present to EC tomorrow? It was so agreed.

The IT spent several minutes going through the Emergency Protocols. Ultimately, the group agreed on the following specific changes:

-- In the highlighted section at the bottom of p.1, it was agreed to change the words

"generally" and "assumed" to "may."

-- The last sentence in this highlighted section, beginning "Timely coordination and consultation..." was deleted.

-- Under Section C, "Goals," it was agreed to combine Items 1 and 3, substituting the following language under Item 1: "An overall goal of this protocol is to prevent, or minimize and mitigate, emergency-related FCRPS impacts to the fish protection measures in the Biological Opinions and RODs.

-- Under Section C, the group agreed to add an additional Item: "To complete timely coordination and consultation with appropriate fish and wildlife management agencies and tribes in accordance to the procedures outlined in Section E of this document."

-- It was agreed to delete Section C, Item 4.

-- Section C, Item 2 was rewritten as follows: "To achieve this goal, the Federal operating agencies will maintain and use system flexibility in season so that response to emergencies, when required, will prevent, or minimize and mitigate impacts, and will consider alternatives when responding to emergencies..."

-- One major change was an IT agreement to delete the distinction between red and yellow emergencies -- essentially, to meld the two definitions. This revision meant that, under Section E, Item 4, the word "Red" was deleted; the entirety of Section 5 was deleted. Similar changes were made to the flowchart on page 5 of this document -- the word "Red" was deleted, and the entire "Yellow Emergency" box was also deleted. The words "Red" and "Yellow" were deleted throughout Section E, and replaced with "In an emergency..."

-- Also under Section E, Item 4, it was agreed to scrap the concept of an Emergency Response Team in favor of "An identified list of individuals from each of the appropriate agencies who are the first contact in an emergency situation."

The only major issue that remains to be resolved in this document is BPA's objection to what could be interpreted as an obligation to mitigate for the adverse effects of emergency operations, as outlined under Sections C and F. Arndt also expressed discomfort with the mitigation language in Section C. It was agreed that the EC will resolve this issue at tomorrow's meeting.

Justin Hayes of Idaho Rivers United said that, in his opinion, what the IT has drafted is an Emergency Protocols document with no teeth whatsoever. You're putting together an emergency plan specifically designed to give BPA an exit door, he said. The point is that the exit door is there -- this document doesn't provide it, and it can't take it away, replied Darm. What we're trying to do is to develop protocols that allow for the opportunity, before the Corps takes action to respond to an emergency, for us to discuss that response and come up with some alternatives. The ultimate authority to decide what operation to implement, however, resides with the Corps.

G. Milner Flow Cap. Jim Fodrea reported that the Bureau of Reclamation has scheduled a meeting with Idaho Power Company on April 10 in Boise to discuss the delivery of the 427 KAF of Upper Snake augmentation water and Brownlee operations in 1997. Representatives from

NMFS, BPA, USFWS, ODFW, IDFG and CRITFC have also been invited. A report will be provided at a future IT meeting.

H. Long-term Decisionmaking Framework. What I had intended to report to the EC on this item tomorrow was that the IT/PATH group had discussed the upcoming schedule for PATH's work, and that PATH was going to proceed with its prospective analysis for spring/summer chinook this spring, said Darm. In order to do that prospective analysis, they need to have alternative scenarios to model. One of the tasks for the IT/PATH group was to develop those alternatives. We want to be sure that there are no unpleasant surprises, once the prospective analysis is completed, about which alternatives were and were not modeled, said Darm. She distributed Enclosure O, a memo dated April 4, 1997, outlining the alternatives for hydro regulation modeling identified by the IT/PATH group so far. I'll be handing this out at tomorrow's EC meeting and making a short presentation, she added.

I. Regional Forum Procedures. As most of you are aware, said Darm, there was an IT/ADR meeting a few weeks ago, at which NMFS put forward a federal proposal for procedures that we intend to follow in 1997, or until such time as we agree to other procedures. We asked the other sovereigns to point out any areas in those procedures they could not accept, she said. We have received some feedback, but to date, no one has identified any areas of the Procedures that they are unable to live with. I will be incorporating those comments and producing a final draft of the Procedures for distribution at tomorrow's EC meeting, she said.

III. Schedule Future Meeting Dates.

The next regular IT meeting was set for Thursday, May 1 from 9 a.m. to 4 p.m. As mentioned above, a conference call to discuss the Bonneville Dam Fish Mitigation Plan was set for 9 a.m. Friday, April 18.

IV. Other.

On March 14, CRITFC wrote a letter to Will Stelle, the NMFS regional administrator, objecting to the planned survival study at The Dalles, said Rob Lothrop. Will has provided a response, which I would like to distribute now (Enclosure P). He suggests that we take this issue to the Implementation Team; we have not yet decided what course of action to pursue, but we want to let people know that this issue exists, and will probably come before the IT soon, Lothrop said. Meeting notes prepared by Jeff Kuechle, BPA contractor.